MEMORANDUM

TO: CAPTAIN JOE MENDOZA
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: Non-fatal Officer Involved Shooting of Devon Miles
J.S.I.D. File #19-0449
L.A.S.D. File #019-07023-0999-055

DATE: March 10, 2022

The Justice System Integrity Division (JSID) of the Los Angeles County District Attorney's Office has completed its review of the October 24, 2019, non-fatal shooting of Devon Miles by Los Angeles County Sheriff's Department (LASD) Detectives Jose Morales and Juan Bonilla. We have concluded the detectives acted in lawful self-defense and the defense of another.

The District Attorney's Command Center was initially notified of a non-injury shooting on October 24, 2019, at 9:04 a.m. The District Attorney Response Team (DART) did not respond to the location due to the fact that Miles was not struck by gunfire. At 5:19 p.m., the Command Center was notified there had been an injury.[1] Based upon this notification, this office conducted a review.

The following analysis is based on reports, recorded interviews, photographs and other evidence submitted to this office by the LASD Homicide Bureau Detective Maria Maciel.[2] Morales' and Bonilla's written reports regarding the incident are incorporated in this analysis. The deputies were not equipped with body worn cameras.

FACTUAL ANALYSIS

On October 24, 2019, at approximately 7:00 a.m., LASD West Hollywood Station Detectives served a Ramey Warrant for [redacted] at a residence located on Dona Teresa Drive in Studio City. The detectives were wearing marked green bullet-proof vests labelled "Sheriff," marked helmets, and weapons belts. The detectives knocked on the front door, announced their presence and informed the occupants of the warrant. [redacted] answered the front door and was taken into

[1] As explained below, Miles was struck by splinters caused by gunfire.

[2] The initial investigation was conducted by LASD Operation Safe Streets (OSS) detectives. LASD Homicide assumed the investigation after it was determined that Miles had been injured. LASD Homicide Bureau did not respond to the location on the date of the incident.

custody. When [redacted] opened the front door, the detectives immediately smelled a strong odor of marijuana and chemicals consistent with marijuana cultivation. [redacted] asked the detectives to obtain clothing for him and informed them there were two other people inside. For their safety, the detectives conducted a protective sweep of the tri-level residence. The detectives located three people inside the residence and escorted them outside to the front yard.

During the protective sweep, Detectives Jose Morales and Juan Bonilla descended to the lower level at the rear of the location where they observed a closed exterior door. Bonilla verbally announced their presence stating, "Sheriff's Department. If you are in there, make yourself known." Bonilla checked the door handle, which was locked. Morales heard what he believed was a firearm being racked and loaded. Simultaneously, Devon Miles opened the door while holding a loaded semiautomatic handgun pointed in Bonilla's direction two to three feet from Miles. Morales yelled, "Gun!" Seeing Miles pointing a handgun and in fear for their lives, Morales and Bonilla each fired their duty weapons at Miles. Miles dropped the handgun on a shelf located inside the door, retreated to a rear bathroom and called 9-1-1 from his cell phone. Morales and Bonilla retreated and took cover. Miles later surrendered and was placed under arrest for assault with a deadly weapon on a peace officer, in violation of Penal Code section 245(D)(2).[3] Miles suffered superficial wounds to his left arm caused by splinters from the door being struck by gunfire. A loaded semiautomatic handgun was recovered from the shelf inside the doorway. Detectives discovered several marijuana cultivation rooms inside the residence and recovered several large bags containing marijuana and a loaded shotgun.

Miles' Statement

Miles told investigators he had been living at the location in the downstairs bedroom for approximately two months. Miles was aware [redacted] kept a loaded handgun inside a locked safe in Miles' bedroom. [redacted] told Miles he could use the handgun for protection and gave Miles the key to the safe. Miles had personally unloaded and reloaded the weapon with eight live rounds and was aware the handgun did not have a safety. On the date of the incident, Miles was sleeping in his bedroom when he heard someone turning the door handle. Miles yelled, "Who is it?" but did not hear any response. Miles retrieved the handgun from the safe and "probably" chambered a round. Miles told investigators he did not hear any commands from the people outside the door. Miles opened the door while holding the handgun pointing down towards the ground. Miles said he was trying to show the handgun to whomever was standing outside because he wanted them to know he was armed. After he opened the door, Miles saw two people wearing Sheriff's vests and helmets and realized they were deputies. Miles heard one of the deputies yell, "Gun!" and believed they were about to fire at him. Miles dropped his handgun on the shelf and ran towards the back of the room as shots were fired. Miles called 9-1-1 and later surrendered. Miles removed splinters in his left arm caused by bullets hitting the wood door. Miles told investigators he did not fire the handgun at the deputies.

Morales' Report

Morales wrote in his report that when he and Bonilla were conducting a protective sweep of the lower level of the residence, Morales positioned himself to the right of an exterior door while

[3] The District Attorney's Office declined filing criminal charges against Miles.

Bonilla stood to its left. Bonilla announced, "Sheriff's Department. If you are in there, make yourself known." Morales heard the sound of what he recognized was a firearm being racked and loaded and informed Bonilla someone was inside. When the door partially opened, Miles stuck his head out while pointing a black, semiautomatic handgun towards Bonilla. Morales yelled, "Gun!" Believing Miles was going to shoot and kill Bonilla and Morales and in fear for his and his partner's lives, Morales fired 18 rounds from his Smith and Wesson M&P 9mm duty weapon at Miles. After Morales fired, he felt something striking his legs and believed he was being fired upon. Morales continued firing his handgun as the door closed before retreating and taking cover.

Bonilla's Report

In his report, Bonilla wrote that he and Morales went to a lower porch level of the residence where he saw a closed door and announced the deputies' presence. Bonilla checked the door handle, which was locked. A second later, the door opened and Bonilla saw Miles holding a dark object extended towards him. Bonilla heard Morales yell, "Gun!" Bonilla took a step to the left and saw Miles pointing a handgun at his stomach. Believing Miles was going to shoot Bonilla and Morales and fearing for his and his partner's lives, Bonilla fired multiple rounds from his Smith and Wesson M&P 9mm duty weapon at Miles. As Bonilla fired his duty weapon, he believed Miles was firing at him because Bonilla's face and upper body was struck by debris, so Bonilla continued firing his handgun.[4] Bonilla and Morales took cover behind a wall.

Detective John Gaudino's Report

In a supplemental report, Gaudino stated he was standing at the top of an exterior staircase when he observed Bonilla and Morales approach an exterior door on the lower level. Gaudino heard Bonilla announce the deputies' presence before he observed the door partially open. Gaudino heard Morales yell something and observed Morales fire his weapon towards the door. Gaudino could not see Bonilla from where he was standing.

Evidence

Twenty-four 9mm caliber cartridge casings and 20 fired bullets or bullet fragments were recovered from the scene. Criminalists recovered Morales' duty weapon, which contained one round in the chamber and 16 rounds in the magazine. Criminalists recovered Bonilla's duty weapon, which contained one round in the chamber and 17 rounds in the magazine. Criminalists recovered one empty magazine and one magazine containing seven rounds from the patio area outside the doorway.[5] The investigation determined that Morales fired 18 times. The investigation did not determine how many times Bonilla fired, due to the lack of information as to whether Bonilla's handgun was loaded to capacity before the incident.

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[4] Bonilla did not state in his report how many rounds he fired or whether his weapon had been loaded to capacity before the incident.

[5] Each magazine has a capacity of 17 rounds.

Criminalists recovered a Springfield XD handgun, which was loaded with one 9mm Luger caliber cartridge in the chamber and six 9mm Luger caliber cartridges in the magazine. A gunshot residue sample was collected from Miles but was not tested.



Location where Miles' loaded handgun was recovered.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if the person claiming the right of self-defense or the defense of others actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. Penal Code section 197; *People v. Randle* (2005) 35 Cal.4th 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal.4th 1172, 1201); *People v. Humphrey* (1996) 13 Cal.4th 1073, 1082; *see also* CALCRIM No. 505. The People have the burden of proving beyond a reasonable doubt that the person did not act in lawful self-defense. *People v. Banks* (1976) 67 Cal.App.3d 379; *see also* CALCRIM No. 3470.

In evaluating whether a police officer's use of force was reasonable in a specific situation, it is helpful to draw guidance from the objective standard of reasonableness adopted in civil actions alleging Fourth Amendment violations. The evaluation of reasonableness should look to "the facts and circumstances of each case, including the severity of the crime, the threat posed by the suspect, and whether the suspect is resisting or attempting to evade arrest." *Graham v. Connor* (1989) 490 U.S. 386, 396. "The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight… The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense,

uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation." *Id.* at 396-397.

Morales and Bonilla were wearing clothing identifying them as Sheriff's deputies and reported announcing their presence outside the room where Miles was located. Miles opened the door while holding a loaded handgun. Miles admitted to investigators that he purposefully displayed the handgun when he opened the door.[6] It was reasonable for Morales and Bonilla to believe they were in imminent danger of great bodily injury or death when they saw Miles open the door while holding a handgun. Based on the totality of the circumstances, we find Morales and Bonilla fired their handguns in lawful self-defense and the defense of another.

CONCLUSION

We find that Detective Morales and Detective Bonilla acted in lawful self-defense and the defense of another when they fired their duty weapons.

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[6] Although Miles said he did not hear Morales and Bonilla give any commands, he immediately recognized they were deputies when he saw their Sheriff's vests and helmets.

A TRADITION OF SERVICE

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT

INCIDENT REPORT

ACTION: ☒ ACTIVE ☐ INACTIVE ☐ PENDING | NON-CRIMINAL ☐ | # OF ADULT ARRESTS 1 | # OF SUBJECT DETENTIONS 0

URN# 0 (RETENTION) 19 (YEAR) 07023 (SEQUENTIAL) 0999 (REPORTING DISTRICT) 055 (STAT CODE) | TAG#

CLASSIFICATION 1 / LEVEL / STAT CODE
Assault with a Deadly Weapon Against a Deputy Sheriff With a Semi-Automatic Weapon 245(d)(2) P.C. / F / 055

CLASSIFICATION 2 / LEVEL / STAT CODE

CLASSIFICATION 3 / LEVEL / STAT CODE

CLASSIFICATION 4 / LEVEL / STAT CODE

ADDITIONAL STAT CODES ☐ ASAP / 83 ☐ FIREARM RELATED / 830 ☐ GANG RELATED / 860 ☐ CYBER CRIME / 551 ☐ CYBER - RELATED CRIME / 552 ☐ CYBER - RELATED INCIDENT (NON - CRIMINAL) / 559 ☐ OTHER

DATE / TIME / DAY OF OCCURRENCE
10-08-2019, 0723 Hours, Thursday

☐ PRINTS REQUESTED ☐ PRINTS COMPLETED | REQUESTED BY: | TIME

LOCATION OF OCCURRENCE
[redacted] Dona Teresa Dr., Studio City CA. 91604

BUSINESS NAME
N/A

CODE: V - VICTIM • W - WITNESS • I - INFORMANT • R - REPORTING PARTY • P - PARTY

Field	Value
CODE / # of	V 1 2
LAST NAME	Bonilla, J.
FIRST NAME	#[redacted]
MIDDLE NAME	
SEX	M
RACE	B
DOB	Adult
AGE	
DRIVER'S LICENSE / STATE ID	
RESIDENCE ADDRESS	Los Angeles County Deputy Sheriff
CITY / STATE / ZIP	Los Angeles CA
RESIDENCE PHONE (Area Code)	
BUSINESS / SCHOOL (GRADE) ADDRESS	780 N. San Vicente Bl.
CITY / STATE / ZIP	West Hollywood CA 90069
BUSINESS PHONE (Area Code)	310-855-8855
ETHNIC ORIGIN	
EMAIL ADDRESS	
SOCIAL NETWORKING ACCOUNT	
CELL PHONE (Area Code)	
VICTIM OF OFFENSE(S) (CLASSIFICATION) #	1
VICTIM DESIROUS OF PROSECUTION?	☒ YES ☐ NO
VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY?	☐ YES ☐ NO
ENGLISH SPEAKING?	☒ YES ☐ NO
LANGUAGE	

Field	Value
CODE / # of	V 2 2
LAST NAME	Deputy Morales, J.
FIRST NAME	#[redacted]
MIDDLE NAME	
SEX	M
RACE	H
DOB	Adult
AGE	
DRIVER'S LICENSE / STATE ID	
RESIDENCE ADDRESS	Los Angeles County Deputy Sheriff
CITY / STATE / ZIP	Los Angeles CA
RESIDENCE PHONE (Area Code)	
BUSINESS / SCHOOL (GRADE) ADDRESS	780 N. San Vicente Bl.
CITY / STATE / ZIP	West Hollywood CA 90069
BUSINESS PHONE (Area Code)	310-855-8855
ETHNIC ORIGIN	
EMAIL ADDRESS	
SOCIAL NETWORKING ACCOUNT	
CELL PHONE (Area Code)	
VICTIM OF OFFENSE(S) (CLASSIFICATION) #	1
VICTIM DESIROUS OF PROSECUTION?	☒ YES ☐ NO
VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY?	☐ YES ☐ NO
ENGLISH SPEAKING?	☒ YES ☐ NO
LANGUAGE	

CODE: S - SUSPECT • SJ - SUBJECT • M - PATIENT • S/V - SUSPECT / VICTIM • SJ / V - SUBJECT / VICTIM

Field	Value
CODE / # of	S 1 1
LAST NAME	Miles
FIRST NAME	Devon
MIDDLE NAME	Andrew
DOB	04-07-1993
AGE	26
DRIVER'S LICENSE / STATE ID	[redacted] GA
SEX	M
RACE	B
ETHNIC ORIGIN	
HAIR	Blk
EYES	Bro
HEIGHT	602
WEIGHT	200
CELL PHONE (Area Code)	Unknown
RESIDENCE ADDRESS	[redacted]
CITY / STATE / ZIP	[redacted] [redacted] [redacted]
RESIDENCE PHONE (Area Code)	Unknown
BUSINESS / SCHOOL (GRADE) ADDRESS	Unknown
CITY / STATE / ZIP	
BUSINESS PHONE (Area Code)	Unknown
AKA	Unknown
EMAIL ADDRESS	Unknown
SOCIAL NETWORKING ACCOUNT	Unknown
ENGLISH SPEAKING?	☒ YES ☐ NO
LANGUAGE	
MONIKER	Unknown
CHARGE	245(d)(2) P.C.
BOOKING NUMBER	5781779
WHERE DETAINED OR CITE NUMBER	WHD

Field	Value
CODE / # of	
LAST NAME	
FIRST NAME	
MIDDLE NAME	
DOB	
AGE	
DRIVER'S LICENSE / STATE ID	
SEX	
RACE	
ETHNIC ORIGIN	
HAIR	
EYES	
HEIGHT	
WEIGHT	
CELL PHONE (Area Code)	
RESIDENCE ADDRESS	
CITY / STATE / ZIP	
RESIDENCE PHONE (Area Code)	
BUSINESS / SCHOOL (GRADE) ADDRESS	
CITY / STATE / ZIP	
BUSINESS PHONE (Area Code)	
AKA	
EMAIL ADDRESS	
SOCIAL NETWORKING ACCOUNT	
ENGLISH SPEAKING?	☐ YES ☐ NO
LANGUAGE	
MONIKER	
CHARGE	
BOOKING NUMBER	
WHERE DETAINED OR CITE NUMBER	

Field	Value
BY DEPUTY	Grigoryan, V.
EMPLOYEE #	[redacted]
SWORN EXP IN YRS	5
DEPUTY	
EMPLOYEE #	
SWORN EXP IN YRS	
VACATION DATES	
STATION	WHD
UNIT / CAR #	92
SHIFT	D
APPROVED	SGT. [redacted]
EMPLOYEE #	#[redacted]
DATE / TIME	10/24/19 2014 hrs
PCD SUBMITTED?	☒ YES ☐ NO
VACATION DATES	N/A
ASSIGNMENT	D.13
HQ NOTIFICATION REQUESTED?	☒ YES ☐ NO
DEPUTY	
DATE / TIME	
SPECIAL REQUEST DISTRIBUTION	
SUSPECT / SUBJECT FIELD RELEASE APPROVED BY:	
DATE / TIME	
CRIME BROADCAST BY:	
DATE / TIME	
SECRETARY	10/25 MC

VEHICLE	LICENSE (STATE & NUMBER)	YEAR	MAKE	MODEL	BODY TYPE	COLOR
VEHICLE FOR VICTIM #						
VEHICLE FOR SUSPECT #	REGISTERED OWNER	IDENTIFYING FEATURES				
STATUS ☐ STOLEN ☐ STORED ☐ DAMAGED ☐ IMPOUNDED ☐ EMBEZZLED ☐ OUTSTANDING	CHP 180 SUBMITTED? ☐ YES ☒ NO	GARAGE NAME & PHONE				
DESCRIPTION OF DAMAGE						

VEHICLE	LICENSE (STATE & NUMBER)	YEAR	MAKE	MODEL	BODY TYPE	COLOR
VEHICLE FOR VICTIM #						
VEHICLE FOR SUSPECT #	REGISTERED OWNER	IDENTIFYING FEATURES				
STATUS ☐ STOLEN ☐ STORED ☐ DAMAGED ☐ IMPOUNDED ☐ EMBEZZLED ☐ OUTSTANDING	CHP 180 SUBMITTED? ☐ YES ☒ NO	GARAGE NAME & PHONE				
DESCRIPTION OF DAMAGE						

SCREENING FACTORS

☒ 1. SUSPECT IN CUSTODY
☐ 2. SUSPECT NAMED / KNOWN
☐ 3. UNIQUE SUSPECT IDENTIFIERS
☐ 4. VEHICLE IN CUSTODY
☐ 5. UNIQUE VEHICLE IDENTIFIERS
☐ 6. WRITER/REVIEWER DISCRETION

PROPERTY CODE:

S – STOLEN • R – RECOVERED • L – LOST • F – FOUND • E – EMBEZZLED • D – DAMAGED • K – SAFEKEEPING
(Use all applicable Codes; for example, if property is both Stolen and Recovered, Code is S/R)

RELEASED TO

CODE	ITEM #	QUAN.	DESCRIPTION (Include kind of article, trade name, identifying numbers, physical description, material, color, condition, age and present market value)	SERIAL #	VALUE

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT EVIDENCE AND PROPERTY PAGE

West Hollywood Station
URN FILE#: 019-07023-0999-055

EV = Evidence F = Found F250 = Found greater than $250 S = Surrendered K = Safekeeping P = Inmate Property

CAT	ITEM #	CSI #	QUAN	DESCRIPTION	VALUE	BOOKED BY	BOOKING DATE	BARCODE #
EV	14		1	Phones/Cell - (1) Black iPhone. Phone has a cracked screen and its secured with a clear phone case Article: Cell Phone Make: iPhone Model: Unknown Serial Number: Unknown Booked At: PATROL STATION		Vostanik Grigoryan #[redacted]	10/24/2019	

10/24

On October 24th, 2019 at approximately 0725 hours, I responded to [redacted] Dona Teresa Drive regarding a deputy involved in a shooting. Upon my arrival, I contacted Detective Cusiter, D. #[redacted] who told me the following:

West Hollywood Sheriff Station Detectives responded to the above indicated location to serve a "Ramey Warrant" for [redacted] (MW/[redacted] Booking Number [redacted]). Detectives were let into the house by a resident at location.

The detectives were able to locate and identify [redacted] and he was arrested for the "Ramey Warrant."

While the detectives were inside the house, they were confronted by a male Black adult (later identified as S/Miles) who pointed a handgun at Detective Bonilla, J. #[redacted] and Detective Morales, J. #[redacted] A deputy involved shooting occurred. The suspect nor, the deputies were injured. The suspect was arrest at the location without any further incident.

Detective Bonilla and Detective Morales were transported to West Hollywood Sheriff Station by Sergeant Klause, J. #[redacted]

Three other resident's located inside the residence were detained pending the deputy involved shooting. ([redacted] MW/[redacted] [redacted] MB/[redacted] and [redacted] MB/[redacted].

I assisted Sergeant Rios, N. #[redacted] with the command post at the intersection of Dona Alicia Place and Dora Maria Drive.

Sergeant Delia, A.#[redacted] recovered a cellphone (EV-1) from S/Miles which he gave to me at the scene. I later booked the cellphone into evidence at the West Hollywood Sheriff's Station.

Deputy Awar #[redacted] and Deputy Vinbell #[redacted] transported and booked S/Miles at West Hollywood Sheriff's Station for an assault with a deadly weapon.

Deputy Gonzalez ,J. #[redacted] and Arambulo, R.#[redacted] transported and booked Suspect Driscoll for a "Ramey Warrant" at West Hollywood Sheriff's Station.

Operation Safe Streets "OSS" Detective Livingstone, J. #[redacted] and Detective Wyett, W. #[redacted] arrived at our location approximately 1000 hours and took over the deputy involved shooting investigation.

Special Enforcement Bureau (SEB) arrived to the location at approximately 1000 hours and cleared the location for any other suspects. Crime Lab personnel arrived to the scene at 1135 hours to process the location and collect evidence.

Internal Affairs Detective Maxwell, M. #[redacted]and Detective Ballesteros, R.#[redacted]arrived to the location at approximately 1115 hours to assist with the deputy involved shooting investigation.

A Major Incident Log was completed and attached to the report. (See attached).

The three residence that were detained were not arrested and were released at the location.

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

SUPPLEMENTAL REPORT

DATE:	10/24/2019	FILE:	019-07023-0999-055	ACTION:	ACTIVE/ADDITIONAL INFO;
C:	Assault with a deadly weapon on a peace officer, 245(d)(2) P.C. / F / 055				
V:	Deputy J. Bonilla #[redacted]				
V:	Deputy J. Morales #[redacted]				
S:	Devon Andrew Miles MB/040793				

NARRATIVE

The purpose of this supplemental report is to provide active/additional information regarding my involvement during the above indicated incident.

During the above date and time, Detective Bonilla and I were assigned to West Hollywood Sheriff Station Detective Bureau. We, along with West Hollywood Station Detectives (Sergeant Delia #[redacted], Sergeant Yocum #[redacted], Detective Gaudino #[redacted], Detective Luevano #[redacted],) and West Hollywood Deputies (Lizarraga #[redacted] and Martinez #[redacted]), staged at West Hollywood Sheriff Station, to assist Detective Cusiter #487814 with the service of a Ramey Arrest warrant for [redacted] behind an assault he committed.

During the briefing, prior to serving the arrest warrant, the West Hollywood Detective Bureau discussed an operations plan in order to safely serve the arrest warrant, and to have a tactical plan in case an emergent situation would arise, such as a deputy involved shooting.

We subsequently responded to [redacted] Dona Teresa Dr, Studio City, California, 91604, to serve the arrest warrant. [redacted] answered, and opened, the front door, where he was immediately taken into custody without incident. [redacted] said there were two additional people inside of the property/residence. Detective Cusiter made several announcements while we were at the front door. There was no response from any of the occupants inside the house. While at the front door, I smelled the strong odor of marijuana emitting from inside the home. We conducted a protective sweep of the residence in order to render the location safe.

We finished clearing the interior of the house when Detective Bonilla and I noticed there was a stair way on the east side of the property. We saw that the stairway led to an additional lower level in the rear deck of the house that we had not safely cleared. Together, Detective Bonilla and I walked down the stairway, as Sergeant Yocum and Detective Gaudino were behind us. We got to the lower deck and saw a closed solid brown exterior door.

		DATE:	TIME:
BY:	Detective J. Morales #[redacted]	10/24/19	
APPROVED:	SGT. M. MARBACH [redacted]	10/24/19,	1600
ASSIGNED:	OSS - PALMDALE DET. LIVINGSTON		
SECRETARY:	VB 10/29/19		

SH-R-77 (RED TIP) REVISION 08/17

SRD: WHD DB
HOMICIDE BUREAU

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT - SUPPLEMENTAL REPORT

NARRATIVE CONTINUATION

DATE: 10/24/19 FILE: 019-07023-0999-055 ACTION: ACTIVE/ADDITIONAL INFO;

I positioned myself to the right side of the door, and Deputy Bonilla positioned himself to the left side of the door. I heard Detective Bonilla say, "Sheriff's Department. If you are in there make yourself known." As soon as he made those commands, I heard the sound of what I immediately recognized as a firearm being racked and loaded. I told Detective Bonilla that I believed there was someone inside the room/residence and I pointed my duty handgun towards the door. Simultaneously, the door began to open. The door had slowly and partially opened, when I saw a male Black, with mid-length dark hair, stick his head out of the door, while pointing a black semi-automatic handgun towards Deputy Bonilla. I immediately yelled "gun" and feared for my life and Detective Bonilla's life.

Believing the suspect was going to shoot and kill Detective Bonilla, and/or me, I quickly pointed my Los Angeles County issued Smith and Wesson M&P 9mm duty handgun at the suspect and fired eighteen rounds towards him. I fired at the suspect to protect my partner and myself and to stop the threat. As I shot towards the suspect, I felt as if I was being hit on both of my legs. Believing I was being shot at, I continued shooting towards the door and the door slowly closed. At this time, Detective Bonilla and I both retreated and took cover behind the wall next to the stairway. We continued covering the exterior door.

At this time, I used my county issued hand held radio to advise the other team members, of the West Hollywood Detective Bureau, that a "998" (Deputy involved shooting) had occurred.

Deputy Martinez relieved Detective Bonilla and me from our position.

I immediately notified Sergeant Delia and Sergeant Yocum of my Use of Force.

For further on Detective Bonilla's involvement during this incident, refer to his supplemental report under the above file number.

BY: Detective J. Morales #[redacted] DATE: 10/24/19 TIME:

SH-R-77 (RED TIP) REVISION 08/17

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

SUPPLEMENTAL REPORT

DATE: 10-24-2019 FILE: 019-07023-0999-055 ACTION: Active/Additional Info

C: Assault with a Deadly Weapon on a Peace Officer, 245(d)(2) PC /F/ 055

S: Devon Miles MB/04-07-93, Booking No. 5781779

V: Detective Morales #[redacted]

V: Detective Bonilla #[redacted]

NARRATIVE

The purpose of this supplemental report is to provide additional and active information regarding my use of force in the above incident.

On the above indicated date, West Hollywood Sheriff's Station Detectives (Sgt Delia #[redacted] Sgt Yocum #[redacted] Detective Cusiter #[redacted] Detective Gaudino #[redacted] Detective Luevano #[redacted] Detective Morales #[redacted] and myself), were serving a Ramey Arrest warrant at [redacted] Dona Teresa Drive, Studio City, California, 91604 for the arrest of [redacted] for an assault.

Before serving the Ramey Arrest warrant, a comprehensive briefing was conducted by the investigating officer, Detective Cusiter. Instructions on what to do if a deputy involved shooting occurred were given as part of a contingency plan.

When Suspect [redacted] opened the front door of his house, he was taken into custody by deputy personnel. I smelled a strong odor of marijuana and chemicals coming from inside the location.

As we were conducting a protective sweep of the house (multi level home), Sgt. Yocum and I cleared a room located on the east part of of the house (on the street level floor of the house). In that room we saw what appeared to be implements of a marijuana grow. West of that room was another room which had containers which appeared to have chemicals in them.

Upon making multiple announcements of our presence inside the house, one male came out of one of the rooms and was immediately detained pending the conclusion of the protective sweep. Two other subjects were found inside different rooms of the house, who did not come out of their rooms upon our initial announcements (Sheriff's Department. If there is anybody in here make yourself known).

Upon the conclusion of the protective sweep inside the house, I saw there was an open glass sliding door which led from the kitchen of the house to the back porch area of the house. Detectives Gaudino, Morales and I went out to clear the back porch area. We then went down to the lower level to clear the porch area of that level.

BY: Det. J. Bonilla #[redacted] DATE: 10-24-19 TIME:

APPROVED: SGT. M. MARBACH [redacted] 10/25/19, 1430

ASSIGNED: OSS - PALMDALE DET. LIVINGSTON

SECRETARY: VB 10/29/19

SH-R-77 (RED TIP) REVISION 08/17 SRD: WHD DB
HOMICIDE BUREAU

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT - SUPPLEMENTAL REPORT

NARRATIVE CONTINUATION

DATE: 10-24-2019 FILE: 019-07023-0999-055 ACTION: Active/Additional Info

I notified Sgt. Yocum that Detective Morales and I were going down a set of stairs that led to another porch area. As we got down to the lower porch area, I saw a closed door directly to the west side of the porch area. I announced our presence (Sheriff's Department. If you are in there make yourself known). I was standing in front of the door, offset to towards the left side of the doorway, when I checked the door handle to the room and found that it was locked. Approximately a second later, the door opened and I saw a male (S/Miles) holding a dark object in his right hand, which he had extended towards me. I heard Detective Morales yell, "Gun." As he yelled "Gun", I took a step to my left and saw S/Miles holding a gun, which was pointed at my stomach/torso. I was about two to three feet away from S/Miles.

As I took a step to my left, I believed S/Miles was going to shoot Detective Morales and me. Fearing for my life and Detective Morales' life, I fired my Los Angeles County issued Smith and Wesson M&P 9mm duty handgun in the direction of where S/Miles was standing, multiple times. I was being hit on my upper body and face by debris and believed S/Miles was shooting at us through the wall. I shot additional rounds in the direction where S/ Miles had been standing.

Detective Morales and I retreated to the east side of the house to take cover behind the wall. Deputy Martinez #[redacted] later relieved us from our position as we walked towards the front of the house.

I immediately notified Sergeants Yocum and Delia of my use of force.

For further on Detective Morales' involvement during this incident, refer to his supplemental report.

BY: Det. J. Bonilla #[redacted] DATE: TIME: